

## **COMBINED DECLARATION AND POWER OF ATTORNEY**

As below named inventors, we hereby declare that:

Our residence, post office address and citizenship are as stated below next to our names.

We believe we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled:

### **REAL-TIME DATA-MANAGEMENT APPARATUS, SYSTEM AND METHOD**

the specification of which

X is attached hereto.

— was filed on \_\_\_\_\_ as Application Serial No.  
\_\_\_\_\_ and was amended on \_\_\_\_\_.

We hereby state that we have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

We acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, '1.56(a).

We hereby claim foreign priority benefits under Title 35, United States Code, '119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

#### Priority Claimed

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Number	Country	Date Filed	Yes	No
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#### **English Language Declaration**

We hereby claim the benefit under Title 35, United States Code, '120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, '112, we acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, '1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

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Application Ser. No.	Filing Date	Status
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Application Ser. No.	Filing Date	Status
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**POWER OF ATTORNEY:** As named inventors, we hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

George W. Moxon II, Reg. No. 26,615; Daniel J. Schlue, Reg. No. 52,194;  
Mark C. Terzola, Reg. No. 40,201; James C. Scott, Reg. No. 35,351; and  
Donald J. Firca, Jr., Reg. No. 48,140.

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**Send Correspondence to:** George W. Moxon II  
Roetzel & Andress  
222 South Main Street  
Akron, Ohio 44308

**Direct Telephone Calls to:** George W. Moxon II  
Telephone: (330) 376-2700

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## DECLARATION

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

## SIGNATURE

Inventor:



Date 2/09/04

Philip C. Hodge

Residence: 7889 S. Riverside Drive  
Aurora, OH 44202

Post Office Address: (same as above)

Citizenship: United States

Inventor:



Date 2/09/04

Patrick Miranda

Residence: 1463 Columbia Rd.  
Valley City, OH 44280

Post Office Address: (same as above)

Citizenship: United States

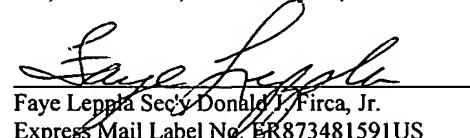
110308-0001 / 1142493\_1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of )  
PHILIP C. HODGE and )  
PATRICK MIRANDA )  
Serial No. )  
Filed )  
For REAL-TIME DATA-MANAGEMENT )  
APPARATUS, SYSTEM AND )  
METHOD )

**CERTIFICATE OF MAILING  
VIA EXPRESS MAIL**

I hereby certify that this correspondence was deposited with the United States Postal Service as Express Mail addressed to: Mail Stop PATENT APPLICATION, Commissioner for Patents, P. O. Box 1450, Alexandria, VA, 22313-1450, on February 17, 2004.

  
Faye Leppa Sec'y Donald J. Firca, Jr.  
Express Mail Label No. ER873481591US

**ASSERTION OF SMALL ENTITY STATUS**

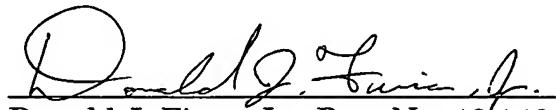
Mail Stop PATENT APPLICATION  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The undersigned attorney, being a representative of Philip C. Hodge and Patrick Miranda, inventors of the present invention, is an independent inventor as defined in 37 CFR 1.9 (c) for purposes of paying reduced fees under section 41 (a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the above invention described in the specification filed herewith, and therefore entitled to small entity status. Accordingly, when appropriate, small entity fees will be paid during prosecution of this application.

If there are any questions regarding this assertion, a telephone call to the undersigned attorney is requested.

Respectfully submitted

  
Donald J. Firca, Jr., Reg. No. 48,140  
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222 South Main St.  
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Attorney for Applicant

February 17, 2004